

1% Sodium Benzoate," was false and misleading since it contained materially more than 1/20 of 1 percent of sodium benzoate.

The article was also alleged to be misbranded under the provisions of law applicable to foods, as reported in F. N. J. No. 2098.

On November 26, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**496. Misbranding of Enrich. U. S. v. 30 Bottles of Enrich. Default decree of condemnation and destruction.** (F. D. C. No. 3706. Sample No. 99914-E.)

On January 24, 1941, the United States attorney for the District of Columbia filed a libel against 30 bottles of Enrich, alleging that it was being offered for sale in the District of Columbia at the Vita Health Food Co., Washington, D. C.; and charging that it was misbranded. It was labeled in part: "Each fluid-oz. contains 600 mg. Peptonized Iron, 200 U. S. P. units Vitamin B<sub>1</sub>, 100 micrograms Vitamin B<sub>2</sub> (riboflavin), Rice Bran Extract (which contributes other factors of the Vitamin B complex), Manganese as the citrate, Calcium and Sodium as the glycerophosphates. \* \* \* Two teaspoons of Enrich 4 times daily furnish 99 milligrams of iron. \* \* \* Two teaspoons of Enrich 4 times daily, supply four-fifths, 80%, of the entire day's needs (minimum U. S. standard)."

It was alleged to be misbranded in that the following statements appearing on a placard accompanying it were false and misleading since it was not efficacious for the purposes recommended: "New Hope For Folks Over 40. This combination of iron and vitamin B<sub>1</sub> has helped to restore pep and vigor to thousands. If you suffer from low vitality, neuritis, nervousness, or other nerve disorders, stomach distress, colitis, or constipation, loss of appetite, pale cheeks, lips, eyelids, or gums, poor functioning, iron-poor blood, cold hands or feet, loss of vigor, you may need more of the vital elements iron and vitamin B<sub>1</sub>. Enrich benefits your blood, nerves, glands, and every organ of your body if you lack iron and vitamin B<sub>1</sub>."

On February 26, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**497. Misbranding of gelatin. U. S. v. 203 Cases of Gelatin. Consent decree of condemnation. Product ordered released under bond for relabeling.** (F. D. C. No. 4693. Sample Nos. 40349-E, 40350-E.)

The labeling of this product bore false and misleading representations concerning its value for avoiding and reducing fatigue and increasing energy and endurance.

On May 8, 1941, the United States attorney for the District of New Jersey filed a libel against 203 cases of gelatin at Camden, N. J., alleging that the article had been shipped in interstate commerce on or about March 20 and April 16, 1941, by Charles B. Knox Gelatine Co., Inc., from Johnstown, N. Y.; and charging that it was misbranded.

The article was alleged to be misbranded in that the following designs, devices, and statements appearing in the circular accompanying both shipments and further and similar statements, designs, and devices in a booklet accompanying one of the shipments, concerning the value of the product for avoiding fatigue and increasing energy and endurance, were false and misleading: "How Knox Gelatine Works For You! \* \* \* For Endurance [vignette of pamphlet entitled "Fatigue And the New Way to Avoid It" and portraying pictures of individuals engaged in various physical activities] \* \* \* The New Use For Knox Gelatine \* \* \* The Knox Gelatine diet is being adopted by men and women all over the country who report that it really works. Hundreds of people who have completed 28-day occupational group tests have reported that Knox Gelatine has reduced fatigue to a significant degree. This is not theory. It is based upon carefully collected reports of men and women whose work makes strenuous demands on mental and physical endurance. • If you could use more endurance, try the Knox Gelatine endurance diet, yourself. Have members of your family try it. \* \* \* Ask people to try Knox Gelatine for greater endurance \* \* \*. How to Take Knox Gelatine For More Endurance—Less Fatigue \* \* \* Stock the new 32-envelope economy package and make the Knox Endurance Routine easy for your customers. \* \* \* Answering Your Customers Question About Knox Gelatine \* \* \* The latest research development—and the most wide-spread—is the use of Knox Gelatine in building endurance and resistance to fatigue. Booklets on Knox Gelatine for greater endurance \* \* \* are available on request."

The article was also alleged to be misbranded in violation of the provisions of the law applicable to foods reported in F. N. J. No. 2548.

On August 15, 1941, the Charles B. Knox Gelatine Co., Inc., having appeared as claimant and having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond conditioned that the circulars and booklets be removed from the packages under the supervision of the Food and Drug Administration.

**498. Misbranding of Wiel Garlic Tablets. U. S. v. 174 Tins, 88 Bottles, and 500 Envelopes of Wiel Garlic Tablets. Default decree of condemnation and destruction. (F. D. C. No. 3005. Sample Nos. 33458-E, 33459-E.)**

On September 17, 1940, the United States attorney for the District of New Jersey filed a libel against the following amounts of Wiel Garlic Tablets at Newark, N. J.—174 tins each containing 24 tablets, 88 bottles each containing 120 tablets, and 500 envelopes each containing 4 tablets, alleging that the article had been shipped by Wiel Laboratories, Inc., from Brooklyn, N. Y., on or about March 2, 1940; and charging that it was misbranded.

Analysis of a sample of the article showed that the tablets contained a small amount of garlic coated with sugar, calcium carbonate, and a starchy material, flavored with peppermint.

The article was alleged to be misbranded in that certain statements appearing in the labeling were false and misleading since they represented that it would build better health, stimulate digestion, and reduce high blood pressure; that garlic causes the relaxation and expansion of the tiny blood vessels and small arteries, which have the direct and immediate effect of lowering blood pressure; that it would act by stimulating peristaltic movement of the bowels, and would aid in dispelling excessive flatulent gas and its disagreeable symptoms of nervous fatigue, coated tongue, and sleeplessness; and that it would relieve that peculiar dizziness and headache which usually accompanies high blood pressure, and would help to overcome jumpy nerves due to ordinary constipation; whereas it would not be efficacious for such purposes.

On January 31, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**499. Misbranding of honey. U. S. v. 36 Packages and 75 Packages of Honey. Default decrees of condemnation. Portion of product ordered destroyed; remainder ordered delivered to a charitable institution. (F. D. C. Nos. 3977, 3980. Sample Nos. 44027-E, 44640-E.)**

On March 15, 1941, the United States attorney for the Middle District of Tennessee filed a libel against 36 packages of honey at Dickson, Tenn., alleging that the article had been shipped in interstate commerce on or about February 5, 1941, by the Tongue River Apiaries (E. C. Reed & Son) from Ranchester, Wyo. On March 31, 1941, the United States attorney for the District of Colorado filed libel against 75 packages of honey at Denver, Colo., which had been shipped by Tongue River Apiaries on or about October 1, 1940, from Ranchester, Wyo.

The article was alleged to be misbranded in that the statements on the carton, "Health Sweet," "Helpful for impaired digestion, diabetes, etc.," and "A teaspoonful in warm water induces sleep and stimulates the heart," were false and misleading since the use of the article could not be depended upon to fulfill the promises of benefit stated and implied thereby. It was alleged to be misbranded further in that statements in an accompanying circular entitled "Please Pass the Honey," regarding its efficacy in the maintenance of health, its efficacy in the treatment of heart weakness and heart failure and in reviving heart action, its efficacy in the treatment of pneumonia and its value for general physical repair, its efficacy to produce energy and give the user a healthy complexion, and its efficacy as a cosmetic because of its nourishing, bleaching, astringent, and antiseptic effect on the skin, were false and misleading since it would not be efficacious for such purposes. It was also alleged to be misbranded under the provisions of the law applicable to foods, as reported in F. N. J. No. 2813.

On May 27 and on June 28, 1941, no claimant having appeared, judgments of condemnation were entered and the product seized at Denver was ordered delivered to a charitable institution and that seized at Dickson was ordered destroyed.